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Attorneys for Plaintiff
NICOLE DART

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

NICOLE DART,

Case No. C09-0559 PJH

Plaintiff,

vs.

**STIPULATION AND ORDER FOR
DISMISSAL OF COMPLAINT FOR
DAMAGES**

**JOHN MUIR HEALTH, a California
Corporation,**

Defendant.

STIPULATION

WHEREAS Plaintiff filed the subject lawsuit on June 19, 2008, in the Superior Court of the State of California in and for the County of Contra Costa, Case No. C08-01604; and

WHEREAS Defendant removed this lawsuit to the United States District Court, Northern District of California, on February 6, 2009, and the lawsuit has since been designated Case No. C09-0559 PJH; and

WHEREAS Defendant and Plaintiff have entered into an agreement to resolve this

lawsuit (the "Agreement");

It is hereby stipulated by and between Plaintiff NICOLE DART, and Defendant JOHN MUIR HEALTH, through their attorneys of record, as follows:

1. Plaintiff's Complaint for Damages is to be dismissed with prejudice;

2. In accordance with the Parties' Agreement, each party shall bear their own attorney's fees and costs.

SO STIPULATED.

DATE: August 3, 2009

FOLEY & LARDNER LLP
JOHN DOUGLAS
KRISTY KUNISAKI

By: /s/ John H. Douglas
JOHN H. DOUGLAS
Attorneys for Defendant John Muir Health
A California Corporation

DATED: August 3, 2009

LAW OFFICES OF SOHNEN & KELLY

By: _____
Patricia M. Kelly
Attorneys for Plaintiff
Nicole Dart

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3 **ORDER**

4 Upon reading the foregoing stipulation and good cause appearing:

5 IT IS ORDERED THAT:

6 1. The Complaint for Damages filed by Nicole Dart against John Muir Health on
7 June 19, 2008, in the Superior Court of the State of California in and for the County of Contra
8 Costa, Case No. C08-01604 and removed to the United States District Court, Northern District
9 of California, on February 6, 2009, Case No. C09-0559 PJH, is hereby dismissed with
10 prejudice;

11 2. In accordance with the Parties' Agreement, each party shall bear their own
12 attorney's fees and costs.

13
14 DATED: August 4, 2009

By:

Phyllis J. Hamilton

